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October 27, 2023

VIA ECF

Honorable Judge Dale E. Ho
United States District Court
Southern District of New York
40 Foley Square, Courtroom 905
New York, NY 10007

Re: Felix Castro v. ProSynthesis Laboratories, Inc. - Case No. 1:23-cv-06292-DEH

To the Honorable Judge Dale E. Ho,

The Plaintiff submits this letter motion pursuant to Your Honor's Order dated October 16, 2023 (Docket # 6), explaining lack of filings in this case and respectfully requesting an extension of time to execute service upon the Defendant. The Plaintiff attempted service to the address 45975 Nokes Blvd. Ste. 170, Sterling, VA 20166-6617, as noted on the Department of State of Virginia (copy attached) on September 12, 2023 but was unsuccessful. Further investigations did not yield a new address for the Defendant to be personally served. Counsel for the Plaintiff intended on attempting service upon the Defendant via the Secretary of State of Virginia, however, because of a law office error, service has not been attempted. Regrettably, counsel for the Plaintiff is still recovering from covid pneumonia hospitalization earlier this year. Plaintiff humbly apologizes for not strictly adhering to Your Honor's Orders. Counsel for the Plaintiff respectfully requests Your Honor consider the exigent circumstances as well as the lack of prejudice to the Defendant when deciding this application. Plaintiff respectfully request an additional thirty (30) days, from October 27, 2023 to November 27, 2023, to execute service upon the Defendant. This is the first time this relief is being requested.

The Plaintiff wishes to thank Your Honor and this Court for the time and attention to this matter.

Application GRANTED.

Respectfully submitted,

/s/ Noor A. Saab, Esq.

Plaintiff is directed to execute service upon the Defendant by November 27, 2023. The Clerk of Court is respectfully directed to terminate ECF No. 7.

SO ORDERED.



Dale E. Ho
United States District Judge

Dated: October 30, 2023
New York, New York